

SIKKIM



GOVERNMENT

GAZETTE

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No. 449

URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM

No. 21/UDD

Dated: 25/11/2023

NOTIFICATION

In exercise of the powers conferred by section 8 of the Sikkim (Repeal and Miscellaneous Provision) Act, 1985, the State Government hereby makes the following rules further to amend the Sikkim Trade License and Miscellaneous Provision Rules, 2011 namely; -

Short title, extent, commencement 1 (1). These rules may be called the Sikkim Trade License and Miscellaneous Provision (Amendment) Rules, 2023.

(2). They shall extend to the whole of Sikkim.

(3). They shall come into force at once.

Amendment of rule 5 2. In the Sikkim Trade License and Miscellaneous Provision Rules, 2011, in rule 5, for the existing sub-rule (17A), the following shall be substituted, namely:-

“(17A) (a) Over the counter, sale of acid or poison is completely prohibited unless,

(i) the seller obtains a Trade License from the Urban Development Department or the Urban Local Bodies after obtaining “No Objection Certificate (NOC) from the Food and Civil Supplies Department, Government of Sikkim;

(ii) the licensee maintains a log book or register recording the sale of acid which shall contain the details of the purchasing person (s). Such details shall contain his name, address, sex, parent's name and contact number to whom it is sold and the purpose for which the acid is sold. No acid shall be sold to any person below 18 years of age.

(b) The licensee shall sell acid subject to the buyer producing the following, namely: -

(i) a valid proof of photo Identity Card issued by the Government which contains the address of the person;

(ii) specific reason or purpose for procuring acid in writing.

(c) All stocks of acid must be declared by the licensee within 15(fifteen) days from procuring it, with the concerned Sub-Divisional Magistrate, Additional District Magistrate, District Magistrate, Superintendent of Police or Sub-Divisional Police Officers as the case may be.

- (d) In case any undeclared stock of acid is found, the concerned Sub-Divisional Magistrate, Additional District Magistrate or the District Magistrate shall confiscate the stock and the Department shall immediately cancel the Trade License issued to the licensee under rule 13 of the Sikkim Trade License Miscellaneous Provision Rules, 2011.
- (e) Those Educational Institutions, Research Centers, Laboratories, Hospitals, Government Departments and the Departments of Public Sector Undertaking which are required to keep and store acid, shall comply with the following directions as under, namely: -
 - (i) A register of usage of acid shall be maintained and the same shall be filed within 15 (fifteen) days from procuring it, with the concerned Sub-Divisional Magistrate, Additional District Magistrate or District Magistrate as the case may be.
 - (ii) A designated staff of the institution or department shall be made accountable for possession and safe keeping of acid in their premise.
 - (iii) The acid shall be stored under the supervision of the designated staff of the institution or department and there shall be compulsory checking of the students or any personnel leaving the laboratories or place of storage where acid is used.
 - (iv) The concerned Sub-Divisional Magistrate, Additional District Magistrate or District Magistrate shall be vested with the responsibility of taking appropriate action for the breach, default or violation of the above directions."

M. T. Sherpa, IAS
Secretary- UDD